

Unified Government of Athens-Clarke County, Georgia
Mayor and Commission
Tuesday, June 7, 2016
7:00 p.m.
City Hall

The Mayor and Commission of the Unified Government of Athens-Clarke County met this date in regular monthly business session. Present: Mayor Denson; Commissioners Dickerson, Sims, Link, Wright, Bailey, NeSmith, Bell, Girtz, and Hamby. Absent: Commissioner Herod.

A motion was made by Commissioner Sims, seconded by Commissioner Bailey, to approve Minutes of meetings of Tuesday, May 3; Tuesday, May 10; Tuesday, May 17; and Tuesday, May 24, 2016. The motion passed by unanimous vote.

Recognitions

Mayor Denson recognized Eric Norris who was recently appointed by Governor Deal as the fourth Superior Court Judge for the Western Judicial Circuit.

Mayor Denson recognized Toni Meadow who was recently elected Tax Commissioner. Ms. Meadow also is filling the unexpired term of former Tax Commissioner Mitch Schrader who passed away on May 30.

Mayor Denson commented on her 30-year friendship with Mr. Schrader, his devotion to community service, and the courage he displayed during his two-year illness. She wished his family well.

Mayor Denson announced 12-year-old Luke Krohn was recently a contestant on Food Channel's Chopped Jr. and received a second place finish.

Mayor Denson announced the Athens Transit System was recently recognized as the 2016 Urban Community Transportation System of the Year by the Community Transportation Association of America, which represents thousands of transit providers across the country. Some of Athens Transit's most notable programs include a bus-riding education program, collaboration with the University of Georgia's mobile app to display real-time information on bus schedules and locations, the launch of a Sunday bus service, free summertime youth ridership, and an ongoing feasibility study to improve services. The award was accepted by:

Director Butch McDuffie
Superintendent of Operations Pat Hale
Maintenance Administrator Terry Ferguson
Route Supervisor Andrew Watts
Bus Operator Tommy Butler
Bus Operator Antonio Medrano

Written communications

There were no written communications.

Public hearing

Public hearing #3 on the proposed FY17 budget as required by the Taxpayer Bill of Rights as passed by the Georgia General Assembly in 1999 was conducted. The following citizen input was received.

1. Sydney Bacchus, P.O. Box 174 – opposed budget adoption until dump problems are resolved.

Old business – Consent

Items under this section were discussed at prior public meetings and were presented for consideration as a single item. Only one vote was taken.

Citizen input

There was no citizen input.

A motion was made by Commissioner Sims, seconded by Commissioner Girtz, to consent to action on the following 10 items. The motion passed by unanimous vote.

1. ADOPT: The following ordinance (#16-06-30) which was presented by title only.

AN ORDINANCE TO AMEND THE FY2016 ANNUAL OPERATING AND CAPITAL BUDGET FOR ATHENS-CLARKE COUNTY, GEORGIA SO AS TO PROVIDE FUNDING FOR OPERATING EXPENSES RELATED TO JUVENILE COURT; AND FOR OTHER PURPOSES.

The Commission of Athens-Clarke County, Georgia hereby ordains as follows:

SECTION 1. The Commission of Athens-Clarke County, Georgia desires to amend the General Fund to provide funding operating expenses for Fees – Court Ordered and Fees – Court Appointed Indigent Defense. Said Operating and Capital budget is hereby amended as follows:

General Fund:

EXPENDITURES:

Decrease:

General Fund Contingency	\$30,000
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Increase:

Juvenile Court - Fees – Court Ordered	\$10,000
Juvenile Court - Fees – Court Appointed	<u>\$20,000</u>
Indigent Defense	

Total	\$30,000
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SECTION 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

2. ADOPT: The following resolution authorizing the submittal of a grant application in the amount of \$2,500,000 to the Georgia Department of Transportation (GDOT) for FY17 Bus and Bus Facilities Capital Program Grant (Title 49 U.S.C. Section 5339) Funding assistance as per agenda report dated April 21, 2016; authorize the acceptance of the subject grant if awarded; and authorize the Mayor and appropriate staff to execute the resulting contract between the Unified Government of Athens-Clarke County and GDOT.

RESOLUTION

A resolution authorizing the filing of an application with Department of Transportation, United States of America, and the Georgia Department of Transportation for a grant under Title 49 U.S.C., Section 5339

WHEREAS, the Secretary of US DOT Transportation and Commissioner of the Georgia Department of Transportation are authorized to make grants for mass transportation; and

WHEREAS, the contract for financial assistance will impose certain obligations upon the Applicant, including the provision of its local share of the project costs in the program; and

WHEREAS, it is required by the U.S. Department of Transportation in accord with the provisions of Title VI of the Civil Rights Act of 1964, that in connection with the filing of an application for assistance under Title 49 U.S.C., Section 5339, the applicant gives an assurance that it will comply with Title VI of the Civil Rights Act of 1964 and other pertinent directives and the U.S. Department of Transportation requirements thereunder; and

WHEREAS, it is the goal of the Applicant that Minority Business Enterprise (Disadvantaged Business Enterprise and Woman Business Enterprise) be utilized to the fullest extent possible in connection with this/these project(s), and that definite procedures shall be established and administered to ensure that minority business shall have the maximum feasible opportunity to compete for contracts and purchase orders when procuring construction contracts, supplies, equipment contracts, or consultant and other services.

NOW, THEREFORE, BE IT RESOLVED BY Mayor and Commission of the Unified Government of Athens-Clarke County

1. That the Mayor and appropriate staff are authorized to execute and file (an) application(s) on behalf of the Unified Government of Athens-Clarke County with the Georgia Department of Transportation to aid in the financing of capital assistance projects pursuant to Title 49 U.S.C. Section 5339, Urbanized Area Formula Program.
 2. That the Mayor and appropriate staff are authorized to execute and file with such applications an assurance or any other document required by the U.S. Department of Transportation and the Georgia Department of Transportation effectuating the purpose of Title VI of the Civil Rights Act of 1964.
 3. That the staff of the Athens Transit System is authorized to furnish such additional information as the U.S. Department of Transportation and the Georgia Department of Transportation may require in connection with the application for the Program of Projects and Budget.
 4. That the Mayor and appropriate staff are authorized to set forth and execute affirmative minority business policies in connection with the Program of Projects and Budget's procurement needs.
 5. That the Mayor and appropriate staff are authorized to execute grant agreements on behalf of Unified Government of Athens-Clarke County with the Georgia Department of Transportation for aid in the financing of the capital assistance requested in the Program of Projects and Budget.
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3. APPROVE: Submittal of a grant application by the Juvenile Court to the Criminal Justice Coordinating Council in the amount of approximately \$150,000 to continue evidence-based or evidence-informed program models that have been shown to reduce juvenile recidivism as per agenda report dated April 25, 2016; authorize staff to accept the grant funds if awarded; and authorize the Mayor, Juvenile Court Judge, and appropriate staff to execute all related documents.
 4. APPROVE: a) Project concept for SPLOST 2011 Project #16, Sub-Project #7 – Repair of East Athens Community Center and Lay Park Pools as described in Facts and Issues #6 of agenda report revised May 24, 2016;

b) Authorize staff to advance the repair of East Athens Community Center and Lay Park pools to the Bid and Award Phase in accordance with the approved Project Concept for SPLOST 2011 Project #16, Sub-Project #7;

- c) Declare that it is not appropriate for public art elements to be included as part of Sub-Project #7 of SPLOST 2011 Project #16; and,
 - d) Authorize the Mayor and appropriate staff to execute all related documents.
5. APPROVE: Proposed updated Morton Theatre Management Agreement between the Unified Government of Athens-Clarke County and the Morton Theatre Corporation (MTC) as shown in Attachment #1 of agenda report dated April 27, 2016; and authorize the Mayor and appropriate staff to execute all necessary documents.
6. APPROVE: Staff to commit HOME funds in the amount of \$239,823 for use by the Athens Area Habitat for Humanity for the development of affordable housing as per agenda report revised May 18, 2016; and authorize the Mayor and staff to execute contracts and all required documents with the Athens Area Habitat for Humanity for the use of HOME funds.
7. APPROVE: A \$1.00 per hour parking rate for on-street parking meters effective July 1, 2016 as per agenda report dated April 26, 2016; approve a \$1.00 per hour parking rate for the College Avenue, Washington Street, and Courthouse parking decks effective July 1, 2016; and authorize the Mayor and appropriate staff to execute all necessary documents.
8. APPROVE: A \$65,000 increase in the FY16 Downtown Athens Parking System expenditure budget as per agenda report dated April 26, 2016; and authorize the Mayor and appropriate staff to execute all necessary documents.
9. APPROVE: a) Award of a purchase contract to Yancey Brothers Company in the amount of \$287,487 for a track type tractor as per agenda report dated April 26, 2016;
- b) Approve \$100,000 in the FY17 Capital Budget for the Landfill Enterprise Fund and approve planned amounts of \$100,000 in FY18 and FY19 for the purchase;
- c) Approve funding through the Georgia Municipal Association (GMA) Equipment Lease Program for the purchase; and
- d) Authorize the Mayor and appropriate staff to execute all necessary documents.
10. APPROVE: Recommendation from Athens Cultural Affairs Commission for appointment of Sarah Traub to said commission for a term expiring March 31, 2019.

Old and new business – Discussion

Citizen input

The following citizen input was received.

- 1. Drew Hooks, 915 North Chase Street – supported living wage.

2. Matt Epperson, 835 Hill Street Apartment B – supported living wage.
3. Jesse Houle, P. O. Box 445 – supported living wage.
4. Tim Denson, 290 Midway Road – supported living wage and Sunday bus service.
5. Paul Prenovitz, 325 Fairway Drive – supported living wage.
6. Chris Dowd, 245 Harris Street - supported living wage and marketing for ATS.
7. Josh Koons, 3205 Clover Street, representing Chase Street Elementary PTO – supported Chase Street project.
8. Sydney Bacchus, P. O. Box 174 – supported Chase Street project and correction of dump issues.
9. Erin Johnson, 863 North Chase Street – supported Chase Street project.

Public Utilities Director Gary Duck, who will retire on July 15 after completion of 41 years of service, was recognized and thanked for his service and leadership.

A motion was made by Commissioner Sims, seconded by Commissioner Girtz to approve award of a unit price contract to J.G. Leone Enterprises, Inc. of Canton, Georgia, the apparent low bidder, in the amount of \$536,642.50 for the Cleveland Road Aerial Sewer Replacement and Creek Bank Stabilization Project as per agenda report dated April 18, 2016; and authorize the Mayor and appropriate staff to execute all related contract documents. The motion passed with eight yes votes. Commissioner NeSmith abstained.

A motion was made by Commissioner Sims, seconded by Commissioner Wright to

a) Adopt the following ordinance (#16-06-31) which was presented by title only approving the recommended Operating and Capital Budgets for the Fiscal Year beginning July 1, 2016 and ending June 30, 2017 (FY17) as per agenda report revised May 26, 2016 with the following amendments:

- Approve an increase of \$3,500 in training for the Office of Operational Analysis and reduce the general fund contingency by \$3,500; and

- Approve an increase of \$2,500 for Oconee Rivers Greenway Commission and reduce the general fund contingency by \$2,500.

- (1) Establish the and set the 2016 property tax (millage) rate for Unified Government of Athens-Clarke County (ACCUG) at 13.95 mills and the Athens Downtown Development Authority at 1.0 mill;

- (2) Establish the annual compensation for the Manager, Attorney, and Internal Auditor as set by the Mayor and Commission in the adopted FY17 Budget and noted in the attached ordinance;

- (3) Establish the rates and structure of the FY17 Health Insurance Program for Employees and Retirees; and

b) Adopt the following ordinance (#16-06-32) amending Section 5-3-77 and Section 5-3-80 of the Athens-Clarke County Code of Ordinances to establish water and sewer rates effective for the year beginning July 1, 2016;

c) Adopt the following ordinance (#16-06-33) amending Sections 6-3-2, 6-3-3 and 6-3-5 of the Athens-Clarke County Code of Ordinances to establish rates and fees for alcoholic beverage license and permits effective July 1, 2016;

d) Adopt the following ordinance (#16-06-34) amending Sections 6-1-5 and Section 6-1-6 of the Athens-Clarke County Code of Ordinances to establish tax rates and fees for the occupation tax effective July 1, 2016;

- e) Adopt the following ordinance (#16-06-35) transferring \$2,766,400 of Enterprise and Internal Service Fund pension and other post-employment benefit (OPEB) expense and offsetting revenue to the General Fund for Fiscal Year 2016;
- f) Adopt the following ordinance (#16-06-36) amending the Employees' Pension Plan to provide for partial vesting for charter officers appointed after July 1, 2015; and
- g) Approve the renewal of and authorize Mayor and appropriate staff to execute all required documents associated with the annual contract with the Georgia Public Defender Standards Council (GPDSC) to provide indigent defense services in specified courts of the Unified Government of Athens-Clarke County in the estimated amount of \$1,600,336 for FY17 (July 1, 2016 through June 30, 2017).

The motion passed by unanimous vote and the following ordinances which were presented by title only were declared adopted.

AN ORDINANCE TO PROVIDE FOR THE RAISING OF REVENUES AND THE APPROPRIATION OF FUNDS FOR ATHENS-CLARKE COUNTY, GEORGIA, FOR THE FISCAL YEAR 2017 BEGINNING JULY 1, 2016 AND ENDING JUNE 30, 2017 TO PROVIDE FOR THE OPERATIONS OF GOVERNMENT DEPARTMENTS, BOARDS, AGENCIES, ELECTED OFFICES, AND OTHER GOVERNMENTAL ACTIVITIES; TO PROVIDE FOR THE LEVEL OF PERSONNEL AUTHORIZED FOR THE VARIOUS DEPARTMENTS AND AGENCIES; TO PROVIDE FOR A CAPITAL BUDGET; TO ESTABLISH 2016 PROPERTY TAX RATES; TO ESTABLISH COMPENSATION FOR THE CHARTER OFFICERS; TO ESTABLISH RATES AND STRUCTURE OF FISCAL YEAR 2017 HEALTH INSURANCE PROGRAMS; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE EFFECTIVE DATES; AND FOR OTHER PURPOSES.

THE COMMISSION OF ATHENS-CLARKE COUNTY, GEORGIA, HEREBY ORDAINS AS FOLLOWS:

SECTION 1. Pursuant to Section 7-405 of the Charter, the sums of money as summarized in Exhibit A attached hereto and made a part of this Ordinance, shall be and are hereby adopted as the Operating Budget and the Capital Budget for Athens-Clarke County for Fiscal Year 2017 (FY17), beginning July 1, 2016 and ending June 30, 2017.

SECTION 2. The appropriation of funds for all departments and agencies shall be as provided for in Exhibit A and supporting schedules.

SECTION 3. Each of the Enterprise and Internal Service Funds shall be operated in accordance with Proprietary Fund accounting standards and procedures and shall not be governed by the Governmental Fund budgetary accounting principles; however, the budgetary estimates upon which such budgets are adopted shall be retained in memorandum form for budget control purposes and utilized in the preparation of comparative operating statements.

SECTION 4. The personnel levels provided for in the Personnel Authorization Schedule for all departments and agencies, as provided in the budget document entitled "The Unified Government of Athens-Clarke County FY2017 Annual Operating and Capital Budget July 1, 2016–June 30, 2017" are hereby adopted as the maximum employment levels for such departments and agencies and shall not be increased without the approval of the Mayor and Commission.

SECTION 5. All financial operations shall be accounted for in accordance with Generally Accepted Accounting Principles and Standards.

SECTION 6. In accordance with the Official Code of Georgia Annotated Section 33-8-8, the proceeds from the tax on insurance premiums estimated to be \$6,900,000 for FY17, shall be used for the provision of services to all residents of Athens-Clarke County.

SECTION 7. In accordance with the Official Code of Georgia Annotated Section 46-5-134, the monthly "9-1-1 charge" of \$1.50 per exchange access facility, the \$1.50 per month "wireless enhanced 9-1-1 charge", and the \$0.75 per retail transaction for the "pre-paid wireless charge" are reaffirmed for the period July 1, 2016 – June 30, 2017.

SECTION 8. The Manager is further authorized to transfer sums up to \$15,000 from the General Fund Contingency to meet unbudgeted obligations of the Government. The Manager is required to notify the Mayor and Commission of each of these transfers from Contingency at the next scheduled regular meeting under the provisions of Section 7-408 of the Charter of the Unified Government of Athens-Clarke County, Georgia.

SECTION 9. The Manager is further authorized to transfer sums within each fund's capital budget among projects and accounts up to \$100,000 to meet project obligations of the government. The Manager is required to notify the Mayor and

Commission of each of these transfers at the next scheduled regular meeting under the provisions of Section 7-408 of the Charter of the Unified Government of Athens-Clarke County, Georgia.

SECTION 10. The Manager is further authorized to approve the application for grants and accept grants on behalf of ACCUG up to \$50,000 and to amend the Operating or Capital Budget for the grants as needed. This authority is permitted if the grant meets all of the following conditions: (1) matching funds are appropriated or the grant does not require matching funds; (2) ACCUG will not be required to otherwise commit resources or maintain any services after the end of the grant period; (3) no positions will be added with the grant; and (4) no vehicles will be added to the ACCUG Fleet Replacement Program as a result of acceptance of the grant.

The Manager is required to notify the Mayor and Commission of approval or acceptance of each grant at the next scheduled regular meeting under the provisions of Section 7-400 of the Charter of the Unified Government of Athens-Clarke County, Georgia. The Manager and appropriate staff are authorized to execute all required documents associated with grants accepted under this provision.

SECTION 11. The budget document, entitled "The Unified Government of Athens-Clarke County FY2017 Annual Operating and Capital Budget July 1, 2016–June 30, 2017" shall be maintained on file in the Office of the Clerk of Commission.

SECTION 12. The ad valorem tax rate for Athens-Clarke County is hereby levied for the year 2016 upon all real and personal property within the government not exempt from taxation under law as follows:

Maintenance and Operations (General Fund)	13.95 mills
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SECTION 13. Under authority of the Act creating the Downtown Athens Development Authority (Georgia Laws 1977 Session, 3533) there is hereby levied and assessed for the year 2016 on the real property in the downtown Athens area as defined in said Act a tax of one (1) mill upon the value of said real estate as fixed by the Tax Digest of Athens-Clarke County.

SECTION 14. Pursuant to Sections 4-101, 4-103, and 4-104 of the Charter of the Unified Government of Athens-Clarke County, the annual compensation of the charter officers, as provided for by ordinance and contract for FY17, shall be \$166,607 for the Attorney, \$172,220 for the Manager and \$81,600 for the Internal Auditor.

SECTION 15. Pursuant to Official Code of Georgia Annotated Section 48-13-93(a) (2), the proceeds of the excise tax on the rental charge for motor vehicles, projected to be \$200,000 during FY17, shall be used for promoting industry, trade, commerce, and tourism. The proceeds from this tax in FY17 shall be used to support the Athens-Clarke County Economic Development Department, with an estimated budget of \$605,200.

SECTION 16. Sub-paragraph (2) of paragraph (c) of Section 1-9-19 of the Code of Athens-Clarke County is hereby deleted in its entirety, and the following subparagraph (2) of paragraph (c) of such Code Section is substituted in lieu thereof:

- (2) Beginning September 1, 2013, Retirees who are age 65 and older and who at the time of retirement have opted into health insurance coverage or the benefits described in this paragraph, as applicable, shall receive the benefits described in this paragraph. From and after the time that a Retiree turns 65 and during the lifetime of the Retiree, Athens-Clarke County shall make monthly contributions to a Health Reimbursement Arrangement(HRA)(within the meaning of Internal Revenue Service Notice 2002-45) established on behalf of the Retiree. For Retirees who had spouse coverage provided by Athens-Clarke County at no cost to them, based on a hire date before 1/1/1994, Athens-Clarke County shall make an equivalent contribution to an HRA established for the spouse, and held jointly with the retiree, until the death of the Retiree. The amount of contributions will be determined by the Mayor and Commission as set out in the annual budget ordinance and may change from time to time. The amount to be contributed by Athens-Clarke County shall be an amount no less than the monthly premium amount charged, by a provider of Medicare Advantage plans in the Marketplace, for one or more plans comparable to the Designated Plan that collaborates with Medicare Parts A and B, described in paragraph (b) and made available to Retirees through a Marketplace. Athens-Clarke County will select and make available to Retirees and eligible spouses a Marketplace through which individuals may purchase health insurance such as Medigap, Medicare Advantage, and/or Medicare Part D,

including one or more plans comparable to the Designated Plan. If a Retiree chooses to enroll in a plan with premiums higher than the contributions made by Athens-Clarke County, the Retiree assumes any additional cost of such coverage. The Marketplace selected by Athens-Clarke County shall consist of multiple carriers offering a variety of plan options (i.e. Medigap, Medicare Advantage, Medicare Part D) available in every United States Zip Code to meet the needs of Retirees. Funds in an HRA may be used for any eligible out-of-pocket medical expenses that a Retiree may incur, including, but not limited to payment by the Retiree of any plan premiums based on the Retiree's plan election. Nothing in this paragraph shall require a Retiree to purchase an insurance plan supplemental to Medicare Parts A and B from a Marketplace or otherwise, and Retirees shall have the ability to use funds in an HRA for any purpose allowed by applicable law. Any existing health insurance coverage provided by Athens-Clarke County to those Retirees described in this paragraph (c) terminated on August 31, 2013.

SECTION 17. Pursuant to Section 1-9-19 of the Code of Ordinances of the Unified Government of Athens-Clarke County, the Benefits Summary of the Health Insurance and Health Benefits Program and the premiums or contributions for employees and retirees, as applicable, shall be as follows:

(a) Pursuant to Athens-Clarke County Code Section 1-9-19(a), the government shall provide as an option to employees the plans of health insurance coverage as described in the Summary Plan Document entitled "Consumer Healthy Solutions (CHS) Plan with a Health Savings Account (HSA) Medical Benefit Booklet for the Unified Government of Athens-Clarke County," effective July 1, 2016, and prepared by Anthem for the Unified Government of Athens-Clarke County. This booklet is on file and available for public inspection in the office of the Clerk of Commission, Room 204, City Hall, 301 College Avenue, Athens, Georgia and on file and available for public inspection in the office of the Human Resources Department, 375 Satula Ave., Athens, Georgia.

(b) During the first open enrollment period, employees have the option to select from among the following health insurance coverage: the option described in the preceding paragraph or the plans of health insurance coverage as described in the Summary Plan Document entitled "BlueChoice Option Point of Service Open Access – Conventional Plan Benefit Booklet for the Unified Government of Athens-Clarke County," Administered by BlueCross BlueShield Healthcare Plan of Georgia, dated July 1, 2016, incorporated herein by reference. This booklet is on file and available for public inspection in the office of the Clerk of Commission, Room 204, City Hall, 301 College Avenue, Athens, Georgia and on file and available for public inspection in the office of the Human Resources Department, 375 Satula Ave., Athens, Georgia.

(c) Pursuant to Athens-Clarke County Code Section 1-9-19(b), the Designated Plan for retirees not yet 65 years of age and the Designated Dependent Plan for spouses of retirees not yet 65 years of age, and eligible dependent children, shall be that plan described as the BlueChoice Point of Service (POS) Open Access Plan of health insurance coverage as further described in the Summary Plan Document entitled "BlueChoice Option Point of Service Open Access – Traditional & Conventional Plans Benefit Booklet for the Unified Government of Athens-Clarke County," Administered by BlueCross BlueShield Healthcare Plan of Georgia, dated July 1, 2016, incorporated herein by reference. This booklet is on file and available for public inspection in the office of the Clerk of Commission, Room 204, City Hall, 301 College Avenue, Athens, Georgia and on file and available for public inspection in the office of the Human Resources Department, 375 Satula Ave., Athens, Georgia. The plan options for retirees and for retiree dependent coverage shall be any other health insurance coverage plans offered to employees in (a) and (b) above.

(d) Those retirees not yet 65 years of age who are eligible for PPO shall be provided the plan of health insurance coverage as described in the Summary Plan Document entitled "Blue Choice PPO Benefit Booklet for the Unified Government of Athens-Clarke County," Administered by BlueCross Blue Shield of Georgia, dated July 1, 2016, incorporated herein by reference. This booklet is on file and available for public inspection in the office of the Clerk of Commission, Room 204, City Hall, 301 College Avenue, Athens, Georgia and on file and available for public inspection in the office of the Human Resources Department, 375 Satula Ave., Athens, Georgia.

(e) The premiums to be paid for the programs of health insurance for employees are set forth in the document entitled "The Unified Government of Athens-Clarke County FY17 Benefits Enrollment Guide," dated June 2016, incorporated herein by reference and on file and available for public inspection in the office of the Clerk of Commission, Room 204, City Hall, 301 College Avenue, Athens, Georgia and on file and

available for public inspection in the office of the Human Resources Department, 375 Satula Ave., Athens, Georgia.

(f) The premiums to be paid for the programs of health insurance for those retirees, under age 65, subject to such insurance as described in paragraphs (c) and (d) hereof are set forth in the document entitled "The FY17 Unified Government of Athens-Clarke County Retiree Benefits Enrollment Guide" dated June 2016, incorporated herein by reference and on file and available for public inspection in the office of the Clerk of Commission, Room 204, City Hall, 301 College Avenue, Athens, Georgia and on file and available for public inspection in the office of the Human Resources Department, 375 Satula Ave., Athens, Georgia.

(g) Pursuant to Athens-Clarke County Code Section 1-9-19(c) the government shall provide to retirees who are age 65 or older those health benefits as described in the "Your 2016 Enrollment Guide: Complete Your Medicare Insurance Enrollment for Coverage in 2016," and "Your Funding and Reimbursement Guide," and incorporated herein by reference. Such documents are on file and available for public inspection in the office of the Clerk of Commission, Room 204, City Hall, 301 College Avenue, Athens, Georgia and on file and available for public inspection in the office of the Human Resources Department, 375 Satula Ave., Athens, Georgia.

SECTION 18. Minimum Salary for Tax Commissioner - The minimum annual salary for the Tax Commissioner will be determined based on the minimum required salary for Tax Commissioners, as established by state law, with the following addition: the longevity component of the calculation will consider a completed partial term, prior to the first completed 4-year term, as a completed 4-year term for calculating the minimum annual salary.

SECTION 19. The effective date of this ordinance shall be July 1, 2016.

SECTION 20. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

EXHIBIT A**GENERAL FUND****SUMMARY FY17 ANNUAL OPERATING AND CAPITAL BUDGET
FOR THE YEAR ENDING JUNE 30, 2017
COMMISSION APPROVED**

	FY17 Operating <u>Budget</u>	FY17 Capital Current Services and Additions & Improv. <u>Budget</u>	FY17 Total <u>Budget</u>
REVENUES:			
PROPERTY TAXES	\$52,282,000	-	\$52,282,000
SALES TAX	\$22,980,000	-	\$22,980,000
OTHER TAXES	\$22,143,700	-	\$22,143,700
LICENSES & PERMITS	\$1,831,400	-	\$1,831,400
INTERGOVERNMENTAL REVENUES	\$977,000	-	\$977,000
CHARGES FOR SERVICES	\$12,331,800	-	\$12,331,800
FINES & FORFEITURES	\$3,378,000	-	\$3,378,000
OTHER REVENUES	<u>\$677,864</u>	-	<u>\$677,864</u>
TOTAL REVENUES	\$116,601,764	-	\$116,601,764
OTHER FINANCING SOURCES	\$2,895,212	-	\$2,895,212
PRIOR YEAR FUND BALANCE - OPER	\$1,500,000		\$1,500,000
PRIOR YEAR FUND BALANCE ONE-TIME	<u>\$1,000,000</u>	<u>\$4,540,000</u>	<u>\$5,540,000</u>
TOTAL REVENUES & OTHER SOURCES	<u>\$121,996,976</u>	<u>\$4,540,000</u>	<u>\$126,536,976</u>
EXPENDITURES:			
GENERAL GOVERNMENT	\$20,264,048	-	\$20,264,048
JUDICIAL	\$26,719,647	-	\$26,719,647
PUBLIC SAFETY	\$38,365,381	-	\$38,365,381
PUBLIC WORKS	\$14,618,128	-	\$14,618,128
CULTURAL AND RECREATION	\$7,587,851	-	\$7,587,851
HOUSING AND DEVELOPMENT	\$3,168,748		\$3,168,748
INDEPENDENT AGENCIES	\$5,176,936	-	\$5,176,936
DEBT SERVICE	<u>\$771,338</u>	-	<u>\$771,338</u>
TOTAL EXPENDITURES	\$116,672,077	-	\$116,672,077
OTHER FINANCING USES	<u>\$5,324,899</u>	<u>\$4,540,000</u>	<u>\$9,864,899</u>
TOTAL EXPENDITURES & OTHER USES	<u>\$121,996,976</u>	<u>\$4,540,000</u>	<u>\$126,536,976</u>

EXHIBIT A**ALL FUNDS****SUMMARY FY17 ANNUAL OPERATING AND CAPITAL BUDGET
FOR THE YEAR ENDING JUNE 30, 2017
COMMISSION APPROVED**

	FY17 Operating Budget	FY17 Capital Current Services and Additions & Improv. Budget	FY17 Total Budget
REVENUES:			
PROPERTY TAXES	\$52,282,000	-	\$52,282,000
SALES TAX	\$22,980,000	-	\$22,980,000
OTHER TAXES	\$24,873,700	\$70,000	\$24,943,700
LICENSES & PERMITS	\$2,756,400	-	\$2,756,400
INTERGOVERNMENTAL REVENUES	\$6,246,459	-	\$6,246,459
CHARGES FOR SERVICES	\$93,737,441	\$8,743,062	\$102,480,503
FINES & FORFEITURES	\$4,138,500	-	\$4,138,500
OTHER REVENUES	<u>\$1,200,560</u>	-	<u>\$1,200,560</u>
TOTAL REVENUES	\$208,215,060	\$8,813,062	\$217,028,122
OTHER FINANCING SOURCES	\$7,512,111	\$4,550,000	\$12,062,111
PRIOR YEAR FUND BALANCE - OPER	\$1,974,080	-	\$1,974,080
PRIOR YEAR FUND BALANCE ONE-TIME	\$1,000,000	\$5,615,600	\$6,615,600
WORKING CAPITAL BALANCE	<u>\$1,509,683</u>	<u>\$13,330,503</u>	<u>\$14,840,186</u>
TOTAL REVENUES & OTHER SOURCES	\$220,210,934	\$32,309,165	\$252,520,099
LESS INTERFUND TRANSFERS	<u>(\$29,306,250)</u>	<u>(\$4,550,000)</u>	<u>(\$33,856,250)</u>
TOTAL REVENUES	<u>\$190,904,684</u>	<u>\$27,759,165</u>	<u>\$218,663,849</u>
EXPENDITURES:			
GENERAL GOVERNMENT	\$55,423,132	\$1,707,600	\$57,130,732
JUDICIAL	\$28,028,685	\$268,000	\$28,296,685
PUBLIC SAFETY	\$41,524,329	\$986,000	\$42,510,329
PUBLIC WORKS	\$52,743,408	\$24,197,565	\$76,940,973
CULTURAL AND RECREATION	\$7,587,851	\$325,000	\$7,912,851
HOUSING AND DEVELOPMENT	\$6,910,273	\$275,000	\$7,185,273
INDEPENDENT AGENCIES	\$7,602,816	-	\$7,602,816
DEBT SERVICE	<u>\$11,813,692</u>	-	<u>\$11,813,692</u>
TOTAL EXPENDITURES	\$211,634,186	\$27,759,165	\$239,393,351
OTHER FINANCING USES	<u>\$8,416,111</u>	<u>\$4,550,000</u>	<u>\$12,966,111</u>
TOTAL EXPENDITURES & OTHER USES	\$220,050,297	\$32,309,165	\$252,359,462
LESS INTERFUND TRANSFERS	<u>(\$29,306,250)</u>	<u>(\$4,550,000)</u>	<u>(\$33,856,250)</u>
TOTAL EXPENDITURES	\$190,744,047	\$27,759,165	\$218,503,212
DESIGNATED FOR FUTURE CAPITAL IMPROVEMENTS & DEBT SERVICE REQUIREMENTS	<u>\$160,637</u>	-	<u>\$160,637</u>
TOTAL EXPENDITURES & DESIGNATIONS	<u>\$190,904,684</u>	<u>\$27,759,165</u>	<u>\$218,663,849</u>

AN ORDINANCE TO AMEND THE CODE OF ATHENS-CLARKE COUNTY, GEORGIA WITH RESPECT TO WATER AND SEWER RATES; AND FOR OTHER PURPOSES.

The Commission of Athens-Clarke County, Georgia hereby ordains as follows:

SECTION 1. Section 5-3-77 of the Code of Athens-Clarke County, entitled "Water Rates," is hereby amended by deleting subsection (a) therein entitled "Residential rates for water consumed," and subsection (b) therein entitled "Nonresidential rates for water consumed," in their entirety and substituting the following in lieu thereof:

"(a) *Residential rates for water consumed.* Rates to be charged for the sale of water to consumers whose property is within the definition of residential user as defined in section 5-3-1 of this chapter shall pay a monthly customer service fee in accordance with subsection (d) herein and a base rate of \$5.24 per 1000 gallons."

"(b) *Nonresidential rates for water consumed.* Rates to be charged for the sale of water to consumers whose property is not within the definition of residential user, as defined in section 5-3-1 of this chapter, shall pay a monthly customer service fee in accordance with subsection (d) herein and a base rate of \$5.24 per 1000 gallons."

SECTION 2. Section 5-3-80 of the Code of Athens-Clarke County, entitled "Sewer Rates," is hereby amended by deleting subsection (a) therein entitled "Residential rates for wastewater discharged," and subsection (b) therein entitled "Nonresidential rates for wastewater discharged," in their entirety and substituting the following in lieu thereof:

"(a) *Residential rates for wastewater discharged.* Rates to be charged for wastewater discharged by customers of the Athens-Clarke County sewer system whose property is within the definition of residential user, as defined in section 5-1-32 of this chapter, shall be as follows:

Monthly Customer Service Fee . . . \$8.30
Base Rate per 1000 gallons \$5.84"

"(b) *Nonresidential rates for wastewater discharged.* Rates to be charged for wastewater discharged by customers of the Athens-Clarke County sewer system whose property does not fall within the definition of residential user, as defined in section 5-1-32 of this chapter, shall be as follows:

Monthly Customer Service Fee . . \$8.30
Base Rate per 1000 gallons \$5.84"

SECTION 3. The effective date of this ordinance shall be July 1, 2016.

SECTION 4. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

AN ORDINANCE TO AMEND THE CODE OF ATHENS-CLARKE COUNTY, GEORGIA WITH RESPECT TO ALCOHOLIC BEVERAGES – FEES FOR LICENSES AND PERMITS; AND FOR OTHER PURPOSES.

The Commission of Athens-Clarke County, Georgia hereby ordains as follows:

SECTION 1. Section 6-3-2, entitled "License—Required; classes; fees," paragraph (c), entitled "Fees," is hereby amended by deleting paragraph (c) in its entirety and substituting the following in lieu thereof:

"(c) *Fees.* The basic fees for each type of license listed in paragraph (b) hereinabove shall be as follows except that private clubs as defined in section 6-3-1 shall pay 70 percent of the basic fee.

Class A, retail liquor package\$4,000.00

Class B, retail beer package600.00

Class C, retail wine package600.00

- Class D, retail liquor by the drink4,000.00
- Class E, retail beer by the drink1,000.00
- Class F, retail wine by the drink1,000.00
- Class G, wholesale liquor5,000.00
- Class H, wholesale beer1,140.00
- Class I, wholesale wine1,140.00
- Class J, licensed alcoholic beverage caterer600.00
- Class K, brewer, manufacturer of malt beverages only600.00
- Class L, brew pub operator600.00
- Class M, broker600.00
- Class N, importer600.00
- Class O, Hotel in-room service liquor, beer, and wine600.00
- Class P, Manufacturer of wine only600.00
- Class Q, Manufacturer of distilled spirits only600.00

“Sunday sales permit fee. All licensees who engage in Sunday sales as permitted under Section 6-3-3(l) and Section 6-3-5(i)(7) or (8) shall pay, in addition to the above fees, a fee of \$600.00.

“Wine-tasting permit and growler tasting permit fees. All licensees who engage in wine-tastings as permitted under section 6-3-6(c) shall pay, in addition to the above fees, a fee of \$250.00. All licensees who engage in growler-tastings as permitted under section 6-3-6(f) shall pay, in addition to the above fees, a fee of \$250.00.

“(1) *Gross sales categories for Class A, B, and C license holders.* Class A, B and C license holders whose dominant activity is the sale of alcoholic beverages shall be required to report all alcoholic and nonalcoholic sales in their gross receipts, or sales for the period of July first to June thirtieth; for the purposes of licensing under this section. Such license holders shall be exempted from purchasing an occupation tax certificate. Class B and C license holders whose dominant activity is the sale of nonalcoholic items shall be required to secure an occupation tax certificate and shall report only the gross alcohol sales for the purpose of an alcoholic beverage license as required.

Gross Sales	Additional Fee
0.00—100,000.00	\$ 0.00
100,000.01—200,000.00	228.00
200,000.01—300,000.00	456.00
300,000.01—400,000.00	684.00
400,000.01—500,000.00	912.00
500,000.01—600,000.00	1,140.00

“All over \$600,000.00, add \$228.00 per additional \$100,000.00 of sales.

“(2) *Gross sales categories for Class D, E, and F license holders.* The portion of the license fee based on gross sales for the period of July first to June thirtieth immediately preceding the filing of an application for a license shall be computed in accordance with the gross sales category shown on the tables below for Class D, E, and F license holders as follows:

Gross Sales	Additional Fee
\$0.00—25,000.00	\$ 0.00
25,000.01—50,000.00	114.00
50,000.01—75,000.00	228.00
75,000.01—100,000.00	342.00
100,000.01—125,000.00	456.00
125,000.01—150,000.00	570.00
150,000.01—175,000.00	684.00

175,000.01—200,000.00 798.00

“All over \$200,000.00 add \$114.00 per additional \$25,000.00 in annual sales.

“(3) *Employee charge*. The annual employee fee for all Class A, B, and C alcoholic beverage licenses that are not required to purchase an occupation tax certificate shall be as follows:

Employees	Fee
0—2	\$12.50 per employee
3—9	25.00 plus \$6.25 per employee over 2
10—99	69.00 plus \$5.50 per employee over 9
100—499	562.00 plus \$4.75 per employee over 99”

SECTION 2. Section 6-3-3, entitled “Same—Application procedure,” paragraph (b), entitled “Application fee,” is hereby amended by deleting paragraph (b) in its entirety and substituting the following in lieu thereof:

“(b) *Application fee*. The applicant, upon turning in his complete application to the Director of Finance, or his designated representative, at the same time shall provide a certified check, credit card payment or money order for \$400.00 made payable to Athens-Clarke County for the application fee, plus any additional related fees required by any other governmental agencies or departments. A \$100.00 investigative fee must be paid for each additional investigation done during the year due to ownership or manager change.

“Additionally, each applicant for a new license shall submit to the Finance Department such information as may be required by the Georgia Crime Information Center and by the Federal Bureau of Investigation, including classifiable sets of fingerprints, and such fees as may be set by the Georgia Crime Information Center and by the Federal Bureau of Investigation for a records check comparison by the Georgia Crime Information Center and by the Federal Bureau of Investigation. Application for a license under this chapter shall constitute consent for performance of a records check comparison.”

SECTION 3. Section 6-3-5, entitled “General regulations pertaining to all licensees,” paragraph (j) entitled “Time limit for clearing patrons from premises,” subparagraph (3), entitled “After-hours service permit required,” is hereby amended by deleting paragraph b. within such subparagraph (3) in its entirety and substituting the following in lieu thereof:

“b. Upon application for a permit, the applicant shall pay an investigation fee of \$60.00.”

SECTION 4. The effective date of this ordinance shall be July 1, 2016.

SECTION 5. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

AN ORDINANCE TO AMEND THE CODE OF ATHENS-CLARKE COUNTY, GEORGIA WITH RESPECT TO OCCUPATION TAX; AND FOR OTHER PURPOSES.

The Commission of Athens-Clarke County, Georgia hereby ordains as follows:

SECTION 1. Section 6-1-5, entitled “Occupation tax schedule,” paragraph (a) is hereby amended by deleting such paragraph in its entirety and substituting the following in lieu thereof:

“(a) There is hereby levied upon each person engaged in or carrying on business in Athens-Clarke County an annual occupation tax based upon the number of employees using the schedule set forth below:

Bracket No.	No. Employees	Tax Amount
1	0-1	\$50.00
2	2-3	131.00
3	4-6	327.00
4	7-10	540.00

5	11-15	780.00
6	16-20	959.00
7	21-35	1,229.00
8	36-50	1,649.00
9	51-75	2,038.00
10	76-100	2,578.00
11	101-150	3,058.00
12	151-250	3,567.00
13	251 & Over	3,957.00

SECTION 2. Section 6-1-6, entitled "Administrative fee, is hereby amended by deleting such section in its entirety and substituting the following in lieu thereof:

"Sec. 6-1-6. - Administrative fee.

"In addition to the occupation tax levied under section 6-1-5 an administrative fee of \$50.00 shall be assessed for each business assessed the annual occupation tax."

SECTION 3. The effective date of this ordinance shall be July 1, 2016.

SECTION 4. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

AN ORDINANCE TO AMEND THE FY2016 ANNUAL OPERATING AND CAPITAL BUDGET FOR ATHENS-CLARKE COUNTY, GEORGIA TO TRANSFER FUNDING AND PROPERLY BUDGET FOR PENSION AND OTHER POST EMPLOYER BENEFITS (OPEB) EXPENSES RESULTING FROM THE IMPLEMENTATION OF GOVERNMENTAL ACCOUNTING STANDARDS BOARD (GASB) STATEMENTS; AND FOR OTHER PURPOSES.

The Commission of Athens-Clarke County, Georgia hereby ordains as follows:

SECTION 1. The Commission of Athens-Clarke County, Georgia desires to amend the General Fund and other funds to transfer funding and properly budget for pension and other post employer benefits expenses resulting from the implementation of governmental accounting standards board statements. Said Operating and Capital budget is hereby amended as follows:

General Fund Amendment:

REVENUE:

INCREASE:

Other Financing Sources:	
Transfers from Other Funds	\$2,766,400

EXPENDITURES:

INCREASE:

Other General Administration:	
Retirement Plan - Pension	\$1,856,300
Employer OPEB Expense	\$ 910,100
Total	\$2,766,400

Other Funds:

EXPENDITURES:

Airport Enterprise Fund:	
Retirement Plan - Pension	(\$43,976)
Employer OPEB Expense	(\$16,900)
Transfer to General Fund	\$60,876
Total	\$0

Landfill Enterprise Fund:	
Retirement Plan - Pension	(\$110,943)
Employer OPEB Expense	(\$46,000)
Transfer to General Fund	\$156,943
Total	\$0

Transit System Enterprise Fund:	
Retirement Plan - Pension	(\$284,564)
Employer OPEB Expense	(\$145,200)
Transfer to General Fund	<u>\$429,764</u>
Total	\$0
Water & Sewer Enterprise Fund:	
Retirement Plan - Pension	(\$970,222)
Employer OPEB Expense	(\$472,000)
Transfer to General Fund	<u>\$1,442,222</u>
Total	\$0
Solid Waste Enterprise Fund:	
Retirement Plan - Pension	(\$133,908)
Employer OPEB Expense	(\$87,100)
Transfer to General Fund	<u>\$221,008</u>
Total	\$0
Storm Water Utility Enterprise Fund:	
Retirement Plan - Pension	(\$191,747)
Employer OPEB Expense	(\$89,600)
Transfer to General Fund	<u>\$281,347</u>
Total	\$0
Internal Support Fund:	
Retirement Plan - Pension	(\$23,635)
Employer OPEB Expense	(\$9,700)
Transfer to General Fund	<u>\$33,335</u>
Total	\$0
Fleet Management Fund:	
Retirement Plan - Pension	(\$58,446)
Employer OPEB Expense	(\$31,500)
Transfer to General Fund	<u>\$89,946</u>
Total	\$0
Self Funded Insurance & Claims Fund:	
Retirement Plan - Pension	(\$20,096)
Employer OPEB Expense	(\$9,700)
Transfer to General Fund	<u>\$29,796</u>
Total	\$0
Self Funded Health Insurance Fund:	
Retirement Plan - Pension	(\$18,763)
Employer OPEB Expense	(\$2,400)
Transfer to General Fund	<u>\$21,163</u>
Total	\$0

SECTION 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

AN ORDINANCE TO AMEND THE CODE OF ATHENS-CLARKE COUNTY, GEORGIA WITH RESPECT TO THE ATHENS-CLARKE COUNTY EMPLOYEES' PENSION PLAN; AND FOR OTHER PURPOSES.

The Commission of Athens-Clarke County, Georgia hereby ordains as follows:

SECTION 1. Section 1-14-1. Article I, entitled "Definitions" is hereby amended by the addition of a new definition to read as follows:

2. Charter officer means the manager, attorney or internal auditor as those positions are defined in the Charter.

SECTION 2. Section 1-14-3. Article III is hereby amended by the addition of a new subsection 5 to read as follows:

5. *Charter officer election.* An individual who becomes a charter officer shall, within 30 days of appointment to such position, elect to participate either in the County's defined contribution plan or the Athens-Clarke County Employees' Pension Plan. In the

event such individual does not make a timely election, he or she shall become, as a default election, a participant in the County's defined contribution plan. The terms, conditions (including any default election), forms and timing of such election shall be established by the County or its designee.

SECTION 3. Section 1-14-4. Article IV, subsection 1, definition of normal *retirement date*, and subsection 2, definition of *early retirement date*" are clarified and amended, retroactive to July 7, 1992, by deleting subsection 1 and subsection 2 in their entirety and substituting the following in lieu thereof:

1. *Normal retirement date*. A participant's normal retirement date shall be the first day of the month coincident with or next following:

(a) The later of the sixtieth anniversary of his or her date of birth or the completion of 10 consecutive years of credited service, as defined in article VII, section 5, for those who, at the time of termination of employment with the employer, are actively working in a position that requires Peace Officer Standards & Training certification with arrest powers, regardless of the department they are in at the time of their retirement, or certified peace officers in the police department, certified firefighters in the fire department, certified peace officers in the sheriff's department or certified correctional officers in the department of corrections; or

(b) The later of the sixty-second anniversary of his or her date of birth or the completion of 10 consecutive years of credited service, as defined in article VII, section 5, or if applicable becoming partially vested as a charter officer in the case of all other participants."

2. *Early retirement date*. A participant may make a written election to retire on an early retirement date which shall be the first day of any month (as specified by the participant) coincident with or next following the latest of:

(a) Completion of 10 consecutive years of credited service, as defined in article VII, section 5 or if applicable becoming partially vested as a charter officer; or

(b) Attainment of age 55; or

(c) Termination of employment with the employer."

SECTION 4. Section 1-14-7. Article VII, subsection 2 is hereby amended by deleting subsection 2 in its entirety and substituting the following in lieu thereof:

2. *Forfeiture of benefit rights and vesting schedule for charter officers*.

(a) *Forfeiture of benefit rights upon termination of employment prior to ten years' consecutive service or partial vesting as a charter officer*. A participant whose employment with the employer is terminated prior to his or her normal retirement date and who has less than ten consecutive years of credited service, as defined in section 5 of this article VII, with the employer at the date of termination of employment will forfeit all rights to benefits under this plan, unless the charter officer is at least partially vested. For purposes of consecutive years of service in the previous sentence, a period of approved leave of up to one year, Family Medical Leave Act leave, and qualified military service leave shall not be deemed an interruption of consecutive years of credited service.

(b) *Vesting schedule for charter officers*.

(1) An individual who becomes a charter officer after July 1, 2015, and who elects to participate in the County's Pension Plan shall be subject to the following vesting schedule, based upon his or her total consecutive years of credited service earned in County employment:

<u>Completed Consecutive Years of Credited Service</u>	<u>Vested Percentage</u>
0 -4	0%
5	50%
6	60%
7	70%
8	80%
9	90%
10	100%

(2) An employee serving in an acting charter officer position will not be subject to the above vesting schedule; however, if an employee

was in an acting charter officer position and, without interruption, becomes a permanent charter officer, the period as acting charter officer shall be included in the computation of completed years of credited service.

(3) If an employee ceases to be a charter officer but continues to be an employee, his or her vesting percentage shall be frozen and shall not increase until and unless the employee accumulates ten consecutive years of credited service at which time the employee shall be fully vested in his or her accrued benefit.

(4) If a charter officer terminates employment after becoming partially vested, his or her vested benefit (i.e., the product of the vested percentage and the benefit accrued) shall be fixed. Upon subsequent non-consecutive reemployment, the individual shall be treated as a new employee, with a new hire date, for purposes of accruing benefits and earning nonforfeitable benefits.

SECTION 5. Section 1-14-7. Article VII, subsection 3 is amended by deleting said subsection in its entirety and substituting the following in lieu thereof:

“3. *Retention of benefit rights upon termination of employment after ten years' service or after becoming partially vested as a charter officer.* A participant whose employment with the employer is terminated prior to his or her normal retirement date and who has completed ten consecutive years of credited service, as defined in section 5 of this article VII, shall retain a nonforfeitable right to his monthly accrued benefit as of his or her date of termination of employment. Notwithstanding the preceding, a charter officer who is partially vested shall retain a nonforfeitable right in his or her vested percentage of monthly accrued benefit (i.e., vested percentage multiplied by accrued benefit) as of his or her date of termination of employment.”

SECTION 6. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

New business – Consider under suspension of Rules

Tony Eubanks – supported complete streets program.

A motion was made by Commissioner Sims, seconded by Commissioner Girtz, to suspend Rules of Commission for one item of new business. The motion passed by unanimous vote.

A motion was made by Commissioner Link, seconded by Commissioner Bailey, to adopt the following resolution. The motion passed by unanimous vote.

RESOLUTION

BE IT RESOLVED BY THE MAYOR AND COMMISSION OF ATHENS-CLARKE COUNTY:

WHEREAS, on May 3, 2016, the Mayor and Commission approved a North Chase Street lane configuration project as described in an agenda report dated April 7, 2016, adopting a Commission-Defined Option to include certain project improvements in addition to those described in the agenda report, and

WHEREAS, some of the improvements, if constructed, would incur costs in excess of the budget for such project, and

WHEREAS, those elements of the approved project that have additional costs associated with them that are not included within the project budget are set forth the Commission-Defined Option (“Elements A-F”) as follows, to-wit:

Element A—Boulevard to Rowe Road segment: “4. Create painted median with teardrop approach on north end for appropriate distance upon southward approach over RR bridge to beginning of turn lane (as per Dougherty St. eastward approach toward Thomas St. intersection) **\$1000.**”

Element B—Boulevard to Rowe Road segment: “2. Create a five-foot wide bicycle lane from 965 Chase Street to Rowe Road. Bike lanes should include 12-18” wide double-striped buffer (included in minimum 5’ width). **\$2500.**”

Element C—Boulevard to Rowe Road segment: “3. Southbound bike lanes should be painted green from proximity of RR bridge with green blocked sharrows as they merge into auto travel lane at the painted median approach to 965 Chase. **\$11,000.**”

Element D—Boulevard to Rowe Road segment: “3. Crosswalk at north side of Nantahala intersection with RRFBs. **\$11,000.**”

Element E—Boulevard to Rowe Road segment: “1. Install flashing ‘Your Speed’ sign facing southbound lane upon approach to RR bridge as per similar signage on approach to Chase St. school zone. **\$4000.**”

Element F—Rowe Road to Newton Bridge Road segment: “b. Bicycle Facilities, 1. Create a five-foot wide bicycle lane including 12” double-striped buffer. **\$5000.**”

WHEREAS, at such meeting, the source of funding for the additional unbudgeted improvements described above was not designated, and

WHEREAS, the Mayor and Commission desire to refine the descriptions of the work described in Elements A-C and Elements E and F above and to identify and designate a source of funding within the FY16 budget for Elements A-C and Element F described above,

NOW, THEREFORE, at a Regular Session of the Mayor and Commission of the Unified Government of Athens-Clarke County, the Mayor and Commission do hereby resolve as follows:

1. The following descriptions of work in Elements A- C and Elements E and F described above are inserted in lieu of the descriptions contained in the Commission-Defined Option:

Element A--Boulevard to Rowe Road segment: a painted teardrop median approach on the north end transition to the center continuous left turn lane in the residential corridor.

Element B—Boulevard to Rowe Road segment: two five-foot wide bicycle lanes, one on each side of North Chase Street, each consisting of a four-foot wide lane and a one-foot buffer strip from 965 North Chase Street to Rowe Road.

Element C—Boulevard to Rowe Road segment: Green bicycle lane painting on southbound lane from the North Chase Street railroad bridge to 965 North Chase Street.

Element—E Boulevard to Rowe Road segment: a radar speed sign assembly southbound prior to the North Chase Street railroad bridge, said sign to be relocated from current location on North Chase Street near Prince Avenue.

Element F—Rowe Road to Newton Bridge Road: two five-foot bicycle lanes one on each side of North Chase Street, each consisting of a four-foot wide lane and a one-foot buffer strip.

2. Funding for Element E shall not be required, since no new facilities are being acquired. Funding for Elements A, B, C and F in the total amount of \$19,500 shall be allocated from the FY16 Crosswalk Improvement Project budget and shall be taken from the Prince Avenue project within such budget, and specifically from the amount budgeted and described as: “Newton Street Crosswalk relocation and installation of overhead RRFBs (\$50,000).”

3. No funding for Element D from the original Commission-Defined Option described above is allocated by this Resolution, and the work described in such Element shall not be undertaken.

Public hearing and deliberation on recommendations from the Athens-Clarke County Planning Commission.

A public hearing was held on request of E + E Architecture, for Farmers Exchange, for special use in C-D (DHD) (Commercial-Downtown, Downtown Historic District for special use on 0.68 acres known as 580 East Broad Street. Proposed use is additional multi-family residential dwelling. Type II

Planning Commission recommendation: Approve (unanimous)

Citizen input

The following citizen input was received.

1. Chris Evans, representing petitioner – supported.

A motion was made by Commissioner Sims, seconded by Commissioner NeSmith, to adopt the following ordinance (#16-06-37) which was presented by title only. The motion passed by unanimous vote.

AN ORDINANCE TO AMEND THE CODE OF ATHENS-CLARKE COUNTY, GEORGIA, WITH RESPECT TO SPECIAL USE APPROVAL IN THE C-D (DHD) (COMMERCIAL-DOWNTOWN, DOWNTOWN HISTORIC DISTRICT) ON THE APPROXIMATE 0.664-ACRE PARCEL OF LAND LOCATED AT 580 EAST BROAD STREET; AND FOR OTHER PURPOSES.

The Commission of Athens-Clarke County, Georgia hereby ordains as follows:

SECTION 1. The current C-D (DHD) (Commercial-Downtown, Downtown Historic District) district in which is located an approximate 0.664-acre parcel of land at 580 East Broad Street in Athens-Clarke County, Georgia is hereby amended to provide for Special Use approval for said parcel to permit the conversion of an existing laundry and maintenance area to a ground floor-dwelling unit. The subject parcel is more fully described on the drawing entitled, "ALTA/ACSM Land Title Survey of 580 East Broad Street, Tax ID: 171B7 A001" dated September 5, 2014, revised October 13, 2014 & January 7, 2015, prepared by Metro Engineering & Surveying Co., Inc., and being on file and available for public inspection in the Office of the Athens-Clarke County Planning Department.

Said approximate 0.664-acre parcel of land at 580 East Broad Street in Athens-Clarke County, Georgia is designated as tax parcel number 171B7 A001 on the Athens-Clarke County tax map, being on file and available for public inspection in the office of the Athens-Clarke County Planning Department, 120 W. Dougherty Street, Athens, Georgia. The date of this amendment to the Official Zoning Map of Athens-Clarke County as shown by Attachment A hereto shall be noted on said Official Zoning map in the Clerk of Commission's Office and duly noted in the minutes of the Commission meeting.

SECTION 2. The binding site plan associated with this ordinance and incorporated herein by reference consists of three sheets; sheet one of which being entitled, "Farmers Exchange Ground Level Dwelling, Athens Georgia 30601, Cover", Drawing Number A-0.0, dated April 1, 2016, prepared by E + E Architecture; sheet two of which being entitled, "Farmers Exchange Ground Level Dwelling, Athens Georgia 30601, Exterior Elevation and Details", Drawing Number A-2.0, dated October 22, 2015, prepared by E + E Architecture; sheet three of which being entitled, "ALTA/ACSM Land Title Survey of 580 East Broad Street, Tax ID: 171B7 A001", dated September 5, 2014, revised October 13, 2014 & January 7, 2015, prepared by Metro Engineering & Surveying Co., Inc.; all said sheets being stamped, "Binding 5/10/16" and being on file and available for public inspection in the Office of the Athens-Clarke County Planning Department.

The binding report associated with this ordinance and incorporated herein by reference consists of two sheets entitled, "Project: Farmers Exchange – Ground Floor Dwelling Unit Special Use Permit; Building: Farmers Exchange; Building Address: 580 East Broad St. Athens, Georgia", dated March 31, 2016, prepared by E + E Architecture, stamped "Binding 5/10/16" and being on file and available for public inspection in the Office of the Athens-Clarke County Planning Department.

SECTION 3. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

A public hearing was held on request to change name of Flint Street to Jennie L. Mattox Street.

Planning Commission recommendation: Deny (unanimous)

Citizen input

The following citizen input was received.

1. Walter Swanson, 200 Springtree Road – supported.
2. Tikica Platt, 117 East Curry Court and Cheylon Bradford, 307 Jasmine Trail – stated they wished to rescind this request and will resubmit.
3. Charles Mack, 123 Pearl Street – suggested Pearl Street be renamed Mattox Street.

A motion was made by Commissioner Wright, seconded by Commissioner Sims, to DENY request to change name of Flint Street to Jennie L. Mattox Street. The motion passed by unanimous vote.

Citizen input on items other than those listed on this agenda.

The following citizen input was received.

1. Sydney Bacchus, P.O. Box 174 – concerned about dump issues.
2. Jesse Houle. P. O. Box 445 – supported living wage.
3. Tim Denson, 290 Midway Road – supported ACTV video upgrade to provide televising of meetings at 120 Dougherty Street.

FROM MANAGER WILLIAMS:

1. Entered into the record was a report of contract awards in excess of \$10,000 for April 2016.
2. Entered into the record was a report of proposed operating transfer from general fund contingency.

FROM COMMISSIONER HAMBY:

1. Noted that 60% of the FY17 budget is allocated to public safety issues.
2. Stated plans are underway for a fireworks display on July 1.
3. Stated the ADDA is looking at the possibility of downtown space for art and tech incubators.
4. Requested an update on the RFP for College Avenue property across from Hotel Indigo.
5. Requested an update on time frame for change out of parking meters.
6. Requested an update on Milledge Avenue crosswalks.
7. Requested consideration of establishment of level two freeport exemptions.

FROM COMMISSIONER NESMITH:

1. Supported level two freeport exemptions.

FROM COMMISSIONER WRIGHT:

1. Stated she is interested in looking at beginning times for Mayor and Commission meetings.
2. Encouraged everyone to reply to the Keep Athens-Clarke County Beautiful online litter index survey.

FROM COMMISSIONER LINK:

1. Stated funding for a bike master plan is included in the FY17 budget.

FROM COMMISSIONER GIRTZ:

1. Stated SPLOST 2011 program contains funding for pedestrian safety and safe routes to school. Citizen input is encouraged.
2. Stated the Legislative Review Committee will meet Thursday, June 16, 5:30 p.m. at City Hall.
3. Stated a TSPLOST program could provide funding for sidewalks and pedestrian safety planning.

FROM COMMISSIONER DICKERSON:

1. Expressed condolences to families of Tax Commissioner Mitch Schrader and former Commissioner Ken Jordan who recently passed away, and to Commissioner Sims in the recent passing of his dad Willie Grady Howell, Jr.
2. Gave a "shout out" to Central Services for their rapid response to work requests.

The meeting adjourned at 9:10 p.m.

Clerk of Commission